



ASSISTANT CITY ATTORNEY

Purpose:

To actively support and uphold the City's stated mission and values. To provide a wide range of professional legal services to the Mayor, City Council, City departments and various boards and commissions; to represent the City in litigation, including prosecuting criminal legal matters as assigned; and to provide moderately difficult staff assistance to the City Attorney.

Supervision Received and Exercised:

Receives general direction from the City Attorney or from other supervisory or management staff.

Exercises functional and technical supervision over legal, administrative and support staff.

Special Features:

The Assistant City Attorney classification encompasses both the entry-level and full journey-level positions in a generalist capacity. Incumbents will be responsible in performing both civil and criminal legal responsibilities. For vacancies, experience requirements may differ depending upon the needs and requirements of the City Attorney's Office. Incumbents placed higher than the minimum salary are distinguished by the ability to perform the full range of duties assigned including previous experience in civil litigation and criminal prosecution.

Examples of Duties:

This class specification is intended to indicate the basic nature of positions allocated to the class and examples of typical duties that may be assigned. It does not imply that all positions within the class perform all of the duties listed, nor does it necessarily list all possible duties that may be assigned.

Duties may include, but are not limited to, the following:

- Represent the City in civil litigation in State and Federal court; prepare pleadings, substantive and procedural motions, discovery and trial exhibits and filings; try cases until dismissed, settled or determined by court or jury.

Effective June 2001

Revised January 2002

Revised April 2004 (unclassified to classified status)

Revised September 2005 (inclusion of prosecutorial assignments)

CITY OF TEMPE

Assistant City Attorney (continued)

- Represent the City in State and Federal Appellate court and in arbitration matters; perform legal research; prepare appellate briefs and oral arguments.
- Prosecute traffic, criminal code and zoning violations and parable cases in City courts; prepare legal pleadings; research technical and scientific aspects of evidence; negotiate plea agreements; formulate trial strategies; and, interview and prepare witnesses to testify at trial.
- Contact attorneys and defendants regarding pending cases; collect and provide discoveries to defendants and defense attorneys; determine amounts and appropriateness of restitution to be paid by defendant to victims of crimes; monitor compliance with ordered restitution payment; determine terms and conditions of probation; and, monitor compliance.
- Attend meetings with department officials and employees to discuss legal questions, code enforcement policies, personnel policies, impacts of planning decisions and procedures to be followed in various actions.
- Participate in interdepartmental group meetings to draft new ordinances and amendments to existing City ordinances.
- Review City violations of zoning, tax, building safety and nuisance ordinances; file criminal cases regarding ordinance violations; and, advise and coordinate code enforcement practices and procedures relative to violations.
- Represent the City in hearings before the City's Merit Board, the EEOC, and other administrative agencies.
- Assist department heads in establishing departmental policies by applying legal points and procedures; recommend changes in policies and procedures in order to meet legal requirements.
- Prepare legal opinions on proposals submitted to the City Attorney's office by City Council, boards and commissions and departments; research, draft, and propose new legislations or changes to existing legislation as required.
- Represent the City at Planning and Zoning Commission meetings, serve as legal advisor to the commission.
- Coordinate with audit and license department sales and use tax matters including tax hearings, legal opinions, liens, collections, privilege license and use tax code.
- Advise City Clerk's office on legal questions regarding elections.

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CITY OF TEMPE

Assistant City Attorney (continued)

- Respond to police and other enforcement personnel requests for information; assist the Police Legal Advisor in advising the Tempe Police Department or other enforcement personnel on legal matters and procedures.
- Review City real estate transactions for completeness and legality; draft development agreements, purchase and sale agreements, easements and other documents concerning real property.
- Conduct housing hearings for City housing authority.
- Respond to and resolve difficult and sensitive citizen inquiries and complaints; review and supervise the investigation of complaints; recommend resolutions to complaints.
- Review legal forms such as bids, contracts and bonds for services and supplies to the City.
- Assist in the supervision and evaluation of support staff in the City Attorney's Office.
- Study new legislation and recently decided case law; attend continuing legal education seminars; attend Council meetings as needed.
- Perform related duties as assigned.

Experience and Training Guidelines:

Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. The hiring department may include job related experience, training or license and certification preferences at the time of recruitment. A typical way to obtain the knowledge and abilities would be:

Experience:

At the entry level, one year of responsible legal experience in criminal or civil litigation. Some trial work and legal research experience is desirable.

For positions opened above entry-level, up to five years of professional legal experience, including criminal or civil litigation and legal research, may be required depending upon the needs and requirements of the City Attorney's Office.

Training:

Equivalent to a Juris Doctorate from an accredited law school.

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CITY OF TEMPE
Assistant City Attorney (continued)

Licenses/Certifications:

Membership in the State Bar of Arizona.

This position is included in the City's classified service, pursuant to City of Tempe Personnel Rules and Regulations, Rule 1, Section 103.

Job Code: 0602

FLSA: Exempt